

UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA

CP III VICTOR, LLC,

Plaintiff,

v.

LAURA REBECCA; CAROLYN  
ALFIERI DOES 1 TO 10, Inclusive,

Defendants.

No. CV 15-6149 JFW (FFMx)

ORDER SUMMARILY REMANDING  
ACTION TO STATE COURT AND  
PROHIBITING DEFENDANT FROM  
FILING ANY FURTHER NOTICE OF  
REMOVAL OF LOS ANGELES  
SUPERIOR COURT CASE NO.  
15U07149

The Court will remand this “Complaint for Unlawful Detainer,” Case No. 15U07149, to state court summarily because Defendant Laura Rebecca removed it improperly.

On August 13, 2015, Defendant Laura Rebecca, having been sued in what appears to be a routine unlawful detainer action in California state court, filed a Notice of Removal of that action to this Court and also presented an application to proceed *in forma pauperis*. Defendant has previously removed this same unlawful detainer proceeding on one prior occasion. On the prior occasion, this Court remanded the action noting that federal jurisdiction does not exist.

The Court has denied the *in forma pauperis* application under separate cover because the action, again, was not properly removed. To prevent the action from remaining in jurisdictional limbo, the Court issues this Order to remand the action to state court. Moreover, to prevent Defendant from further abusing the federal court to obstruct

1 her state proceedings without any basis, the Court issues this order prohibiting her from  
2 filing any further notice of removal with respect to this unlawful detainer action.

3 Simply stated, as the Court has previously determined, Plaintiff could not have  
4 brought this action in federal court in the first place, in that Defendant does not  
5 competently allege facts supplying either diversity or federal-question jurisdiction, and  
6 therefore removal is improper. 28 U.S.C. § 1441(a); *see Exxon Mobil Corp v. Allapattah*  
7 *Svcs., Inc.*, 545 U.S. 546, 563, 125 S. Ct. 2611, 162 L. Ed. 2d 502 (2005). Even if  
8 complete diversity of citizenship existed, the amount in controversy does not exceed the  
9 diversity-jurisdiction threshold of \$75,000. *See* 28 U.S.C. §§ 1332, 1441(b). On the  
10 contrary, the unlawful-detainer complaint recites that the amount in controversy does not  
11 exceed \$10,000.

12 Nor does Plaintiff's unlawful detainer action raise any federal legal question. *See*  
13 28 U.S.C. §§ 1331, 1441(b).

14 Accordingly, IT IS ORDERED that (1) this matter be REMANDED to the  
15 Superior Court of California, County of Los Angeles, Central District, 110 North Grand  
16 Avenue, Los Angeles, California 90012 for lack of subject matter jurisdiction pursuant to  
17 28 U.S.C. § 1447(c); (2) that the Clerk send a certified copy of this Order to the state  
18 court; and (3) that the Clerk serve copies of this Order on the parties.

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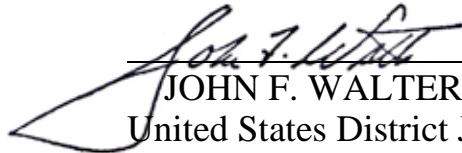
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1 IT IS FURTHER ORDERED that Laura Rebecca is prohibited from filing any  
2 further Notice of Removal of this case from state court without an Order of the Court or  
3 of the Chief Judge of the Central District of California allowing her to do so.

4 IT IS SO ORDERED.

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6 DATED: August 18, 2015

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9 JOHN F. WALTER  
United States District Judge

10  
11 Presented by:

12  
13 /S/ FREDERICK F. MUMM  
14 FREDERICK F. MUMM  
United States Magistrate Judge